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March 17, 2022

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VIA ECF

Hon. Katherine Polk Failla
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

MEMO ENDORSED

Re: *SpecGx LLC v. James et al*, 18-cv-09830

Dear Judge Failla:

This application is respectfully submitted jointly on behalf of plaintiff SpecGx, LLC (“SpecGx”) and defendants concerning SpecGx’s application for attorney’s fees and costs pursuant to 28 U.S.C. § 1988. The parties are pleased to report that they have reached an agreement in principle on the material terms to resolve SpecGx’s fee application, including the reimbursement amount. The parties nevertheless request a further extension to SpecGx’s filing deadline for a period of sixty (60) days so as to allow time for the parties to address issues relating to the bankruptcy of SpecGx’s parent company, Mallinckrodt Pharmaceuticals, which is pending in the United States Bankruptcy Court for the District of Delaware. *See, e.g., In re Mallinckrodt pic*, No. 20-bk-12522 (Bankr. D. Del. Mar. 2, 2022). This would extend the present deadline of March 21, 2022 as set by Your Honor’s Order of February 8, 2021 (ECF No. 51), until May 20, 2022. Although the parties anticipated no further extension requests, they very much appreciate the Court’s courtesy in this regard and will work to finalize their agreement as promptly as possible under the circumstances.

Thank you for Your Honor’s consideration.

Respectfully submitted,

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Counsel for Defendants

Application GRANTED. Plaintiff SpecGx shall file its application for attorney's fees and costs pursuant to 28 U.S.C. § 1988 on or before **May 20, 2022**. The Clerk of Court is directed to terminate the pending motion at docket number 52.

Dated: March 18, 2022
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE